

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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DATE FILED: 3/9/2024

STUDIO - D,

Plaintiff,

-against-

THE WAVERLY GROUP, WAVERLY STAGING
& DESIGN LLC, JANE SAIDENBERG, and
ZOE DIAMANT,

Defendants.

1:23-cv-9001-MKV

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

Defendant Zoe Diamants submitted a request for a pre-motion conference on her anticipated motion to dismiss the Plaintiff's complaint against her (ECF #42). Plaintiff opposes the request (ECF #43). After reviewing the arguments set out in the parties' letters, the motion for a pre-motion conference is DENIED, and Defendant Diamants is GRANTED leave to file a motion to dismiss on the schedule set forth below.

IT IS FURTHER ORDERED that on or before March 18, 2024, Plaintiff must inform the Court via letter whether it intends to amend its complaint. This will be Plaintiff's last opportunity to amend the complaint in response to arguments raised in the parties' letters.

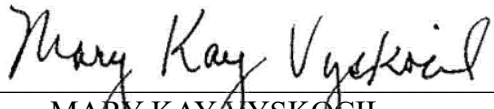
IT IS FURTHER ORDERED that if the Plaintiff does not amend its complaint, Defendant Diamants must file her motion to dismiss on or before March 25, 2024. Further briefing shall be submitted on the schedule set forth in Local Rule 6.1(b).

IT IS FURTHER ORDERED that if the Plaintiff elects to amend its complaint, the amended complaint is due on or before March 25, 2024. Defendant Diamants must respond to any amended complaint within 14 days of its filing. In the event Defendant Diamants files a new motion to dismiss, the briefing for that motion will be on the schedule set forth in Local Rule 6.1(b).

Any request for an extension or adjournment shall be made by letter filed on ECF and must be received at least 48 hours before the deadline.

SO ORDERED.

Dated: March 9, 2024
New York, New York



MARY KAY VYSKOCIL
United States District Judge